

### **REMARKS**

This Amendment is fully responsive to the non-final Office Action dated October 16, 2008, issued in connection with the above-identified application. A petition for a one-month extension of time accompanies this Amendment. Claims 13-27 were previously pending in the present application. With this Amendment, claims 13-27 have been canceled without prejudice or disclaimer to the subject matter therein; and claims 28-40 have been added. Accordingly, claims 28-40 are all the claims now pending in the present application. No new matter has been introduced by the new claims. Favorable reconsideration is respectfully requested.

To facilitate the Examiner's reconsideration of the application, the Applicants have provided amendments to the abstract. The changes to the abstract include minor editorial and clarifying changes. A replacement abstract is enclosed. No new matter has been introduced by the amendments made to the abstract.

In the Office Action, claims 24-27 are objected to because of minor informalities. As noted above, claims 24-27 have been canceled thereby rendering the above objection to those claims moot. Additionally, the minor formalities noted by the Examiner have been corrected in the new claims. Accordingly, withdrawal of the objection to claims 24-27 is respectfully requested.

In the Office Action, claims 13-16 and 23 have been rejected under 35 U.S.C. 102(b) as being anticipated by Lee et al. (U.S. Patent No. 5,921,095, hereafter "Lee"); claim 24 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Lee; and claims 17-22 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Lee in view of Valence et al. (U.S. Patent No. 5,600,966, hereafter "Valence").

As noted above, claims 13-27 have been canceled thereby rendering the above rejections to those claims moot. Additionally, the Applicants assert that the cited prior art fails to disclose or suggest at least the features recited in independent claim 28.

Specifically, claim 28 recites the following features:

"[a] refrigerating storage cabinet comprising:  
a heat insulating housing;

a refrigeration unit that includes a compressor, a condenser, an expanding mechanism, and an evaporator; and

a control unit having a data storage location;

wherein the data storage location stores a plurality of refrigerating characteristics indicative of a time-varying change mode of dropping of a physical amount with respect to refrigeration, the physical amount including an internal temperature of said heat insulating housing; and

said control unit controls operation of said refrigerating unit in each of a plurality of refrigerating specifications so that the physical amount is reduced in accordance with one of the refrigeration characteristics.” (Emphasis added).

The features noted above in claim 28 are fully supported by the Applicants’ disclosure (see e.g., ¶ [0018]).

In the Office Action, the Examiner relies primarily on Lee from disclosing or suggesting a form of control means. Specifically, at col. 6, lines 16-25 Lee discloses a micro-controller 16 that receives data from a first sensor S1 and a second sensor S2, and controls a respective first and second compressors C1, C2. Additionally, Lee discloses that the cooling state of a refrigeration unit is controlled by a compressor C3 by receiving data from a third sensor S3.

However, nowhere does Lee disclose or suggest a data storage location that stores a plurality of refrigerating characteristics indicative of a time-varying change mode of dropping of a physical amount with respect to refrigeration, the physical amount including an internal temperature of the heat insulating housing; and a control unit that controls operation of a refrigerating unit in each of a plurality of refrigerating specifications so that the physical amount is reduced in accordance with one of the refrigeration characteristics (as recited in independent claim 28). And, Valence fails to overcome the deficiencies noted above in Lee.

Accordingly, Lee and Valance (individually or in combination) fail to anticipate or render obvious independent claim 28. Likewise, Lee and Valance (individually or in combination) fail to anticipate or render obvious claims 29-40 at least by virtue of their dependencies (directly or indirectly) from independent claim 28.

Moreover, claims 31 and 33 are also believed to be distinguishable over the cited prior art on their own merit. Claim 31 recites the following features:

“[t]he refrigerating storage cabinet according to claim 30, wherein said refrigeration unit is detachably connected to said heat insulating housing, and said refrigerating storage cabinet further comprising:

an identifying means for identifying the refrigerating specification of said heat insulating housing to which the refrigeration unit is detachably connected,

wherein said control unit selects and executes the appropriate one of the plurality of refrigerating specifications based on an identification signal from said identifying means.”

The features noted above in claim 31 were previously recited in canceled claim 18.

In the Office Action, the Examiner relies on Lee for disclosing some form of an identifying means. Specifically, the Examiner states that Lee discloses “an identifying means for identifying the refrigerating specification of the heat insulating housing...,” and “a control means that selects and executes the appropriate one of the plurality of refrigerating specifications based on an identification signal from the identifying means.” (See col. 6 lines 4-16, col. 5 lines 41-48; and figures 11 and 12).

However, the Applicants assert that Lee actually discloses setting the refrigeration specification of each heat insulating housing (as shown in figure 12) using the switch as shown in figure 11. Lee fails to disclose or suggest at least an “identifying means for identifying the refrigerating specification,” as recited in claim 31.

Regarding claim 33, the claim recites the following features:

“[t]he refrigerating storage cabinet according to claim 31, wherein said identifying means comprises:

a set internal temperature input section for inputting a set internal temperature for said heat-insulating housing,

wherein said identifying means determines the appropriate one of the plurality of refrigerating specifications based on the set internal temperature.”

The features noted above in claim 33 were previously recited in canceled claim 20.

In the Office Action, the Examiner relies on Lee for disclosing some form of a set internal temperature input section and an identifying means. Specifically, the Examiner states that Lee discloses "... a set internal temperature input section for inputting a set internal temperature for the heat-insulating housing" (see 16, 17, col. 5 line 50; and figure 6) and "an identifying means that determines the appropriate one of the plurality of refrigerating specifications based on the set internal temperature" (see col. 6 lines 16-24).


However, although a set internal temperature input section is generally provided in refrigerators, Lee fails to disclose or suggest determining if one of the refrigerating specifications is appropriate based on the inputted temperature, as recited in claim 33.

Moreover, Valence fails to overcome the deficiencies noted above in Lee. Accordingly, dependent claims 31 and 33 are also believed to be distinguishable over the cited prior art on their own merit.

In light of the above, the Applicants respectfully submit that all the pending claims are patentable over the prior art of record. The Applicants respectfully request that the Examiner withdraw the rejections presented in the outstanding Office Action, and pass the present application to issue.

Respectfully submitted,

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February 12, 2009